

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit:

JOHNSON et al.) Examiner:

Serial No.: Not Yet Assigned)

Filed: Herewith)

Atty. File No.: 1604-459)

For: "METHOD AND APPARATUS FOR)
PROVIDING A GAS CORRELATION)
FILTER FOR REMOTE SENSING OF)
ATMOSPHERIC TRACE GASES")INFORMATION DISCLOSURE STATEMENT"EXPRESS MAIL" MAILING LABEL NUMBER: EV331292179US
DATE OF DEPOSIT: 8/1/03I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
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UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX
1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Constance Robnett

SIGNATURE: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☒ Are enclosed herewith.☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were

submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

U.S. Patent Application filed August 1, 2003, entitled "Field Condensing Imaging System for Remote Sensing of Atmospheric Trace Gases" to Kampe et al. (serial no. is not yet assigned).

☐ Other: _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should

an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

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By: 

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(303) 863-9700

Date: August 1, 2003

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 1604-459	SERIAL NO. Not Yet Assigned
	APPLICANT JOHNSON et al.	
	FILING DATE Herewith	GROUP ART

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1.	Re. 35,355	10/22/96	Ryan et al.	250	343	
	2.	3,432,239	03/11/69	Holland	356	112	
	3.	3,501,641	03/17/70	Krause	250	209	
	4.	3,802,777	04/09/74	Regnier et al.	356	75	
	5.	3,824,018	07/16/74	Crane, Jr.	356	112	
	6.	3,939,348	02/17/76	Barrett	250	339	
	7.	3,998,552	12/21/76	Stewart et al.	356	103	
	8.	4,035,643	07/12/77	Barrett	250	339	
	9.	4,057,319	11/08/77	Ash et al.	350	96 C	
	10.	4,195,931	04/01/80	Hara	356	346	
	11.	4,377,324	03/22/83	Durand et al.	350	166	
	12.	4,400,058	08/23/83	Durand et al.	350	166	
	13.	4,509,857	04/09/85	Vermande	356	346	
	14.	4,553,816	11/19/85	Durand et al.	350	166	
	15.	4,583,855	04/22/86	Bareket	356	351	
	16.	4,729,658	03/08/88	Poultney	356	328	
	17.	4,743,114	05/10/88	Crane, Jr.	356	346	
	18.	4,930,131	05/29/90	Sizer, II	372	18	
	19.	4,937,447	06/26/90	Barrett	250	339	
	20.	4,962,319	10/09/90	Leonard et al.	250	574	
	21.	4,973,853	11/27/90	Leonard et al.	250	574	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	APPLICANT JOHNSON et al.	
	FILING DATE Herewith	GROUP ART

	22.	5,088,815	02/18/92	Garnier et al.	356	28.5	
	23.	5,144,498	09/01/92	Vincent	359	885	
	24.	5,159,406	10/27/92	Adler et al.	356	349	
	25.	5,208,654	05/04/93	Shao et al.	356	358	
	26.	5,212,585	05/18/93	Ning	359	276	
	27.	5,214,484	05/25/93	de Mollerat du Jeu	356	28.5	
	28.	5,218,426	06/08/93	Hall et al.	356	361	
	29.	5,339,155	08/16/94	Partridge et al.	356	419	
	30.	5,539,517	07/23/96	Cabib et al.	356	346	
	31.	5,539,518	07/23/96	Bennett	356	346	
	32.	5,606,419	02/25/97	Foosnaes et al.	356	419	
	33.	5,719,989	02/17/98	Cushing	359	589	
	34.	5,731,889	03/24/98	Jeong et al.	359	258	
	35.	5,801,831	09/01/98	Sargoytchev	356	346	
	36.	5,835,214	11/10/98	Cabib et al.	356	346	
	37.	5,999,322	12/07/99	Cushing	359	589	
	38.	6,046,854	04/04/00	Bhagavatula	359	577	
	39.	6,075,597	06/13/00	Olshausen	356	345	
	40.	6,118,421	09/12/00	Kawaguchi et al.	345	89	
	41.	6,163,380	12/19/00	Hays	356	519	
	42.	6,268,944	07/31/01	Szapiel	359	159	
	43.	6,504,971	01/07/03	Margalit et al.	385	24	
	44.	6,522,469	02/18/03	Fuqua et al.	359	578	
	45.	6,545,739	04/08/03	Matsumoto et al.	349	198	

EXAMINER	DATE CONSIDERED
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	FILING DATE Herewith	GROUP ART

	46.	Not Assigned		Kampe et al.			08/01/03

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	47.	William S. Heaps et al., "Fabry-Perot Interferometer for Column CO ₂ ," NASA Goddard Space Flight Center, undated, 6 pages.
	48.	E. Serabyn et al., "Dual Fabry-Perot Filter for Measurement of CO Rotational Spectra: Design and Application to the CO Spectrum of Venus," <i>Applied Optics</i> , Vol. 39, No. 34 (Dec. 1, 2000), pp. 6448-52.
	49.	Jerzy Ciosek, "Narrow-Band Interference Filters with Unconventional Spacer Layers," <i>Applied Optics</i> , Vol. 39, No. 1 (Jan. 1, 2000), pp. 135-40.
	50.	P.L. Land et al., "High-Transmission Comblike Optical Filters," <i>J. Opt. Soc. Am. A</i> , Vol. 12, No. 3 (Mar. 1995), pp. 611-22.

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